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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,308	02/08/2002	Kabir Siddiqui	60001.0128US01/MS190469.1	1104

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EXAMINER

EDWARDS, ANTHONY Q

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 05/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,308

Applicant(s)

SIDDIQUI, KABIR

Examiner

Anthony Q. Edwards

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-10, 16-19 and 21 is/are rejected.
- 7) ☒ Claim(s) 6, 11-15, 20, 22 and 23 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Objections

Claims 10, 11 and 20 are objected to because of the following informalities: “internal battery cover” lacks proper antecedent basis. The Examiner opines that the claim should recite “interior battery cover.” Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8-10, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Design Patent No. D445,409 to Segers. Referring to claims 1 and 18, FIGS. 1-3 of Segers shows a hand-held computing device (i.e., a mobile radiotelephone) comprising a slidably retractable keyboard and battery compartment cover, the cover having a pair of elongate slide members extending from four, forward opposing edges of the cover, the slide members for extending into a casing of the hand-held computing device for attaching the cover to the computing device; a keyboard disposed along a lower front portion of the computing device; a battery compartment disposed along a lower back portion of the computing device, the battery compartment including a generally rectangular-shaped battery recess for enclosing a battery for powering the computing device, the battery compartment further including an interior battery

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cover for closing the battery recess to prevent a battery contained in the battery recess from dislodging from the battery recess if the keyboard and battery compartment cover is in an open position; whereby keyboard and battery compartment are uncovered for access to the keyboard and for access to the battery compartment by slidably retracting the keyboard and battery compartment cover away from the casing of the hand-held computer. See the marked copies of the figures.

Referring to claim 2, Segers inherently discloses a hand-held computing device, wherein the cover including a hollow cavity for receiving and enclosing a lower portion of the computing device when the cover is in a closed position.

Referring to claim 3, FIGS. 8 and 9 of Segers show a hand-held computing device, wherein the keyboard hidden from access inside the cover when the cover is in a closed position.

Referring to claim 4, FIG. 10 of Segers shows a hand-held computing device, wherein the battery compartment hidden from access when the cover is in a closed position.

Referring to claim 8, Segers inherently discloses a hand-held computing device, wherein the battery compartment comprises, a generally rectangular-shaped battery recess for enclosing a battery for powering the computing device, the battery compartment further including an interior battery cover for closing the battery recess to prevent the battery from dislodging from the battery recess when the keyboard and battery compartment cover is in an open position. See FIGS. 3 and 10.

Referring to claims 9 and 19, FIGS. 2-5 and 9-12 of Segers show a hand-held computing device, wherein the interior battery cover has a first side and a second side; each of the first and second slide members has an elongate track, the track running along a length of each of the first

and second slide members along an inner side of each of the first and second slide members near an upper edge of each of the first and second slide members; whereby an edge of the first side of the battery cover is slidably mounted within the elongate track of the first slide member and whereby an edge of the second side of the battery cover is slidably mounted within the elongate track of the second slide member; and whereby the interior battery cover is slidably retractable to an open position by sliding the interior battery cover away from the battery recess and into the retracted keyboard and battery compartment cover.

Referring to claim 10, FIG. 3 of Segers shows a hand-held computing device, wherein the internal (*sic*) battery cover includes a detent defined in an upper surface of the interior battery cover for retracting the interior battery cover into the open position.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Segers in view of U.S. Patent No. 5,151,946 to Martensson. Segers discloses all of the elements of the claimed invention, except for each elongate slide member having a detent to mate with a detent catch in the casing. Martensson discloses a hand-held computing device (i.e., a portable telephone), wherein elongate slide members (not numbered) having a detent (16) defined along a forward portion of the slide member for engaging a detent catch (17) disposed in the interior of a casing

(2) for retaining the slide members from exiting and separating from the casing when a cover (7) is retracted to an open position. See FIGS. 1 and 5 and the corresponding specification. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hand-held computing device of Segers to include detent(s) on the elongate slide members, along a forward portion thereof, for engaging a catch, as taught by Martensson, to arrest movement at or near the fully extended position of the cover.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Segers in view of U.S. Patent No. 6,269,537 to Kimura et al. Segers discloses all the elements of the claimed invention, except for the compartment cover being formed of magnesium. Kimura et al. disclose covers and frames for computing hardware and telecommunications devices (e.g., hand-held computing devices) constructed of metallic materials, such as magnesium, that are well known in the prior art. See column 7, lines 10-21. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hand-held computing device of Segers to include a metallic (e.g., magnesium) cover, as taught by Kimura et al, to provide more rigidity than would be available with plastic covers.

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Segers in view of U.S. Patent No. 6,469,910 to Lefort. Although Segers does not specifically disclose the computing device as a hand-held computer or personal digital assistant (PDA), Lefort discloses an electronic device with a variable keyboard, wherein a plurality of hand-line devices are disclosed (e.g., calculators, pagers, etc.). See column 1, lines 13-16 and lines 30-21. It would have been obvious to one of ordinary skill in the art at the time the invention was made to

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modify the hand-held computing device of Segers to include a computers or a PDA, as taught by Lefort, to provide a portable workstation with computer and telecommunication capabilities.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Segers in view of U.S. Patent No. 6,545,577 to Yap. Segers discloses all the elements of the claimed invention, except for the device including a stylus assembly. Yap discloses a hand-held computing device (10) having a stylus assembly (17) mounted in an interior portion of a casing (13) of the computing device. See FIG. 1 and the corresponding specification. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the hand-held computing device of Segers to include a stylus assembly, as taught by Yap, to enhance the functionality and performance of the portable device.

Allowable Subject Matter

Claims 6, 11-15, 20, 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 6 is allowable. The following is a statement of reasons for the indication of allowable subject matter: In the examiner's opinion, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to include a pair of ball assemblies, comprising a ball, a ball support, and a ball retaining arm, whereby the ball is maintained in engagement with an inner surface of the slide members, and whereby the ball retaining arm applies spring action against the ball structure for maintaining the ball in engagement with the inner surface of the slide members during movement of the same, and finally to substitute this

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modified slide member for the slide member of Segers (see Figs. 1, 4 and 5). These features, in combination with the rest of the elements or steps, are not taught or suggested by the prior art references.

Claims 11 and 20 are allowable. The following is a statement of reasons for the indication of allowable subject matter: In the examiner's opinion, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to include an interior battery cover having an interior battery cover closing member defined along a rear edge of the interior battery cover; whereby the closing member is engaged by an interior surface of the keyboard and battery compartment cover such that the interior battery cover is closed by slidably closing the keyboard and battery cover and thereby pushing the closing member in a forward direction by engagement of the keyboard and battery compartment cover with the closing member. These features, in combination with the rest of the elements or steps, are not taught or suggested by the prior art references. Claims 12 and 13 depend, either directly or indirectly, from claim 11 and are therefore allowable for at least the reasons provided above.

Claims 14 and 22 are allowable. The following is a statement of reasons for the indication of allowable subject matter: In the examiner's opinion, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to include a stylus assembly mounted in an interior portion of the casing, comprising a stylus release catch for engaging a detent near a second end of the stylus to retain the stylus inside the casing of the computing device; a spring-loaded stylus release button for disengaging the stylus release catch from the detent; and a lower spring assembly for engaging the first end of the stylus and for urging the stylus out of the casing of the computing device when the stylus release catch is disengaged from

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the detent. These features, in combination with the rest of the elements or steps, are not taught or suggested by the prior art references. Claims 15 and 23 depend, either directly or indirectly, from claims 14 and 22, respectively, and are therefore allowable for at least the reasons provided above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,099,051 to Murphy et al. discloses a closure system for a computing device having a stylus, including a spring (252), which urges the stylus out of the housing (206) of the device.

U.S. Patent No. 5,896,277 to Leon et al. disclose a slidable cover for a battery housing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Q. Edwards whose telephone number is 703-605-4214. The examiner can normally be reached on M-F (7:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on (703) 308-4815. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 306-5511 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-9929.

aqe
May 8, 2003


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